

Article - Local Government

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§12-402.

(a) (1) The County Commissioners of Calvert County may acquire an option on real property that is needed for a public purpose.

(2) For at least 3 successive weeks immediately after acquiring an option to lease or purchase real property, the county commissioners shall publish notice of the option in at least one newspaper of general circulation in the county.

(3) The notice shall include:

- (i) the name of the optionee;
- (ii) the purpose for securing the option; and
- (iii) the price and terms of the option.

(b) (1) The County Commissioners of Calvert County may:

(i) purchase or lease personal property under a multiyear contract that requires the county commissioners to make installment or rental payments during 2 or more fiscal years;

(ii) pay interest as part of any installment or rental payments in accordance with the terms of the contract; and

(iii) pledge and assign the personal property purchased or leased to secure the obligation.

(2) (i) The county commissioners may enter into a contract under paragraph (1) of this subsection only if:

1. the county commissioners have appropriated money sufficient to pay the amount due under the contract during the first fiscal year in which the contract is effective;

2. subject to subparagraph (ii) of this paragraph, the contract authorizes the county commissioners to terminate the contract if money sufficient to pay the amount due under the contract for any fiscal year is not appropriated;

3. the contract provides that, except if the county commissioners default in payment under the contract, an obligation for payment under the contract is limited to money appropriated for contract payment for that fiscal year; and

4. the contract provides that, if the county commissioners default in payment under the contract, the obligation for payment is limited to:

A. money appropriated for contract payments for that fiscal year;

B. any money realized from the personal property purchased or leased under the contract; and

C. any other money legally available for contract payment.

(ii) The contract may provide that a contract termination is ineffective if the county commissioners purchase or lease personal property similar or functionally related to the property purchased or leased under the contract within a specified period of time.

(c) (1) The County Commissioners of Calvert County may lease or sell surplus county real property.

(2) (i) If the county commissioners decide to sell real property where a facility for which the county commissioners appropriated at least \$1,000 in any year is located, the county commissioners shall sell the property by sealed bids.

(ii) The county commissioners shall advertise an invitation for bids for at least 3 successive weeks in at least one newspaper of general circulation in the county.

(iii) The advertisement shall:

1. accurately describe the property;

2. state the time and place for the opening of the bids;

and

3. state that the county commissioners reserve the right to reject a bid.

(iv) The county commissioners shall open all bids publicly at the time stated in the advertisement.

(v) The county commissioners shall sell the property to the highest bidder, unless the county commissioners determine that the county would be better served by selling the property to another bidder.

(vi) If the county commissioners reject all bids or if no bids are submitted, the county commissioners may dispose of the property in a manner that the county commissioners determine to be appropriate.

(d) (1) Except as provided in paragraph (2) of this subsection, the County Commissioners of Calvert County may transfer, convey, or lease any interest in the real property known as the Solomons Elementary School property to the Calvert County Historical Society, Inc., for use as a public maritime museum without complying with the requirements of this section.

(2) A transfer of real property to the Calvert County Historical Society, Inc., under this subsection is subject to subsection (e)(2) and (3) of this section.

(3) If the Solomons Elementary School property ceases to be used as a museum open to the public, the property immediately shall revert to the county.

(e) (1) (i) By resolution, the County Commissioners of Calvert County may transfer an interest in real property to the federal government, the State, a political subdivision, or a public instrumentality without consideration if the property will be used for a public purpose.

(ii) A transfer instrument executed under this paragraph shall include a provision that the property shall revert to the county if the property ceases to be used for a public purpose, unless the county commissioners expressly waive receipt of the reversionary interest at the time the transferee ceases to use the property for a public purpose.

(2) By resolution, the county commissioners may donate an interest in surplus real property to a private, nonprofit corporation for educational, human services, housing, cultural, recreational, or community uses.

(3) Before transferring or donating property under this subsection, the county commissioners shall:

(i) hold a public hearing at least 10 days before taking action on the proposed resolution;

(ii) publish notice of the hearing and a synopsis of the proposed resolution once each week for 2 successive weeks before the hearing in at least one newspaper of general circulation in the county; and

(iii) have an appraisal made of the property for discussion at the hearing.

(f) (1) The County Commissioners of Calvert County may:

(i) provide wholly or partly for the financing of the purchase, construction, rehabilitation, or development of housing or a housing project; and

(ii) record a deed of trust, mortgage, or other instrument on the property where the housing or housing project is located to ensure repayment of money provided under this paragraph.

(2) The county commissioners shall:

(i) adopt a resolution each time money is provided under this subsection;

(ii) hold a public hearing at least 10 days before taking action on a proposed resolution; and

(iii) publish notice of the hearing and a synopsis of the proposed resolution once each week for 2 successive weeks before the hearing in at least one newspaper of general circulation in the county.

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